



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.09.2021

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THE HON'BLE MR.JUSTICE R.SURESH KUMAR

WEB COPY

W.P. (MD) No.15552 of 2021
(Through Video Conference)

S.Gladson Jeba

.. Petitioner

-Vs-

The Block Development Officer,
B.D.O.Office,
Melpuram Panchayat Union,
Kanyakumari District.

.. Respondent

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the Respondent herein to take steps to assessment of professional tax to petitioner's small scale industry, namely, M/s.Telimir Industries, situated at Ambalakkalai, Mangodu Post, Kanyakumari District, in the light of his application dated 22.07.2021 within a stipulated period as may be fixed by this Court.

For Petitioner : Mr.R.Sundar

For Respondent : Mr.D.Ghandiraj
Government Advocate

ORDER

Prayer sought for herein is for a writ of mandamus, directing the Respondent herein to take steps to assessment of professional tax to petitioner's small scale industry, namely, M/s.Telimir Industries, situated at Ambalakkalai, Mangodu Post, Kanyakumari District, in the light of his application dated 22.07.2021 within a time frame.

2.The case of the petitioner is that he has started a small scale industry in the name and style of "Telmir Industries" at S.F.No.486/2B, Puliyursalai Revenue Village, Ambalakkalai, Mangodu Post, Kanyakumari District, and for starting the said industry, the petitioner had already obtained necessary licenses and certificates from various governmental authorities. After getting all these permission and license, the industry is ready to start, however, before the production is started, the petitioner has to get a registration with the respondent for professional tax for which application has been submitted by the petitioner on 22.07.2021 to the respondent, and the said application since has not been considered so far, the petitioner has approached this Court with the aforesaid prayer.



3. Heard Mr.R.Sundar, learned counsel appearing for the petitioner, who, having reiterated the aforesaid facts, would seek indulgence of this Court to issue a direction by way of mandamus to the respondent.

4. Heard Mr.D.Ghandiraj, learned Government Advocate who would submit that, if any such application, dated 22.07.2021, is filed to the respondent for the necessary action to register the petitioner's industry for the purpose of professional tax, the said application would be considered, and if it is in order, the same would be proceeded further and orders would be passed in this regard, within a time frame that may be stipulated by this Court.

5. I have considered the said submissions made by the learned counsel appearing for the parties and have perused the materials placed before this Court.

6. In view of the innocuous nature of the prayer sought for herein, where the petitioner seeks a direction to the respondent to consider the application of the petitioner, dated 22.07.2021, for registration of his industry for the purpose of professional tax, and having regard to the said submission made by the learned Government Advocate, this Court is inclined to dispose of this writ petition with the following order:

"that there shall be an direction to the respondent to consider the application of the petitioner, dated 22.07.2021 with regard to his plea to get registered his industry for the purpose of professional tax, and decide the same on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order."

7. With this direction, this writ petition is disposed of. However, there shall be no order as to costs.

8. It is made clear that the petitioner, along with a copy of this order, shall forward the copy of the application, dated 22.07.2021 to the respondent for easy reference and quick action.

Sd/-

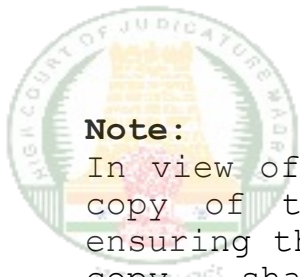
Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PJL



Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

The Block Development Officer,
B.D.O. Office,
Melpuram Panchayat Union,
Kanyakumari District.

+1 CC to M/s.GP (SR-27912[F] dated 02/09/2021)

W.P. (MD) No.15552 of 2021
01.09.2021

RD(16.09.2021) 3P 3C